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EXAMINER

HECK, MICHAEL C

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 12/07/2004.

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/609,714

Applicant(s)

HACK ET AL.

Examiner

Michael C. Heck

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-65 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-65 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02 September 2004 has been entered.

2. The following is a First Office Action in response to the request for continued examination filed 02 September 2004. Applicant added new claims 58-65. Claims 1-65 are pending in this application and have been examined on the merits as discussed below.

### ***Claim Objections***

3. **Claims 63-65** are objected to because of the following informalities: It appears the intent of claims 63-65 was to be dependent to claim 62 since claims 63-65 substantially mirrors claims 59-61 and refer to the "creating" language of claim 62. Examiner has interpreted claims 63-65 to be dependent to claim 62. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claims 58 and 62** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "physical system" in claims 58 and 62 is a relative term, which renders the claim indefinite. The term " physical system" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. For examination purposes, the Examiner has interpreted "physical system" to be the business process that is being described.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-65** are rejected under 35 U.S.C. 103(a) as being unpatentable over Flores et al. (U.S. Patent 5,630,069) in view of Business Editors (Business Editors, DeskTalk Announces Next Generation TREND ReportPacks Automating Web-Based Performance Reporting, Business Wire 5 May 1998, p. 1 [PROQUEST]). The examiner interprets the claims to describe a picture or graph with drill-down features for more detailed information. Flores et al. teach a method and apparatus for creating workflow maps of business processes. Flores et al. does not expressly teach the specific data

recited in claims 1, 6, 8, 21, 26, 28, 40, 42, and 55 as to the polygon shape of the graph features; however, these differences are only found in the non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific data. Further, the structural elements remain the same regardless of the specific data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106. Flores et al. disclose a value chain optimization system and method comprising:

- **[Claim 1]** providing on a display device coupled to a data processing system a business view depicting a plurality of interlocked polygons illustrating interactions between the participants, the polygons being positioned relative to each other to define the participants for the interactions (col. 1, line 64 to col. 2, line 30, col. 4, lines 22-52, col. 5, lines 55-62, and col. 7, lines 10-30, Flores et al. teach the workflow server is the heart of the workflow system. Business process maps display the relevant information about each workflow—the customer, the performer, the conditions of satisfaction and the cycle time. A business process map is a graphical representation of a business process, which shows its workflows and their relationships. Workflow maps highlight the role of process participants, which workflows are primary and which workflows are secondary to the business process; what work is performed in serial; what work is performed in parallel. A graphical user interface in a computer system is utilized. Typically, a workflow map, as it appears on a monitor in a size suitable for comfortable viewing, is larger than the screen. For this reason, horizontal and vertical scroll bars allow the user to scroll through the entire map.); and
- **[Claim 6]** rendering, using a data processing system, a first graphical depiction of a sequence of interactions between different ones of the participants, the depiction including polygons being juxtaposed to indicate the sequence and participants of each of the interactions (col. 1, line 64 to col. 2, line 30, col. 4, lines 22-52, col. 5, lines 55-62, and col. 7, lines 10-30, Flores et al. teach the workflow server is the heart of the workflow system. Business

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process maps display the relevant information about each workflow-the customer, the performer, the conditions of satisfaction and the cycle time. A business process map is a graphical representation of a business process, which shows its workflows and their relationships. Workflow maps highlight the role of process participants, which workflows are primary and which workflows are secondary to the business process; what work is performed in serial; what work is performed in parallel. A graphical user interface in a computer system is utilized. Typically, a workflow map, as it appears on a monitor in a size suitable for comfortable viewing, is larger than the screen. For this reason, horizontal and vertical scroll bars allow the user to scroll through the entire map.).

As to claim 1, Flores et al. fail to teach deriving an interaction view from the business view using said data processing system; the interaction view depicting additional information between the participants; and as to claim 6, Flores et al. fail to teach rendering, using the data processing system, a second graphical depiction, derived from the first graphical depiction, of an information flow. Business Editors teach web-based performance reports complete with multiple charts and graphs, hot links from summary information to drill-down details, and information pop-ups describing the report and its usage (Para 1). ReportPacks automatically group coherent sets of information into reports directed to particular audiences or tasks (Para 3). Network managers can use the new automated, Web-based ReportPacks as templates from which they can customize the graphs and data, update polling policies, fine tune threshold definitions, hot-link in additional charts, and use TRENDweb's presentation-style drawing package to add descriptive text and company-specific graphics (Para 11). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include drill-down capability with the teachings of Flores et al. since the teaching of Business Editors teach that it is old and well known in the presentation art to group

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information into reports directed to a particular audience or task (Para 3). Business reports and graphs convey information needed at all levels of the organization. Being able to display the same information in the various formats requested by the using community can be cumbersome and time consuming. Having the ability to display information where users can elect to drill-down to information that is needed allows users to get their desired information and saves time for the users since the information is collected and prepared once.

- **[Claim 2]** providing, in the business view, an indication of the benefits from the interactions (Business Editors: Para 6, Business Editors teach forecasts reports indicating devices where near-term corrections can prevent service degradation. The examiner interprets the forecast reports to be an indication of benefits.).
  - **[Claim 3]** providing a component view depicting an implementation of the business and interaction view in a physical system (Business Editors: Para 3 and 10, Business Editors teach DeskTalk's TREND 3.5 provides network managers with comprehensive web-based management reports. Service Level Management report provides an instant view of latency and availability across the enterprise by element. The examiner interprets the Service Level Management report to describe a physical system.).
- 
- **[Claim 4]** providing a component view includes depicting the availability of IT components in the physical system (Business Editors: Para 3, 7, and 10, Business Editors teach DeskTalk's TREND 3.5 provides network managers with comprehensive web-based management reports. Service Level Management report provides an instant view of latency and availability across the enterprise by element. Capacity Planning reports details most over-utilized and most under-utilized elements indicating opportunities for load balancing to improve service levels without additional investment. The examiner interprets the capacity planning report to identify availability of IT components.).
  - **[Claim 5]** providing a component view includes depicting the activities of software components (Business Editors: Para 1, Business Editors teach TREND helps the network manager analyze trends in the network. The examiner interprets that software is an integral part of the network.)

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- **[Claim 7]** rendering a third graphical depiction depicting an implementation of the first and second graphical depiction in a physical system (Business Editors: Para 1, 3, and 10, Business Editors teach enterprise management reporting software that delivers web-based performance reports with charts and graphs with links from summary information to drill-down details. DeskTalk's TREND 3.5 provides network managers with comprehensive web-based management reports. Service Level Management report provides an instant view of latency and availability across the enterprise by element. The examiner interprets the Service Level Management report to describe a physical system.).
- **[Claim 8]** rendering the first graphical depiction includes, representing a plurality of interactions depicted as interlocking polygons (Flores et al. col. 6, lines 21-24, col. 8, lines 56-67, Flores et al. teach links are represented graphically as lines with arrowheads that connect two workflows. Conditional links are indicated with a diamond icon. The diamond shape is a polygon. Links define dependency between two workflows and the mechanism by which dependencies between workflows is established.).
- **[Claim 9]** rendering the first graphical depiction includes, vertically aligning representations of interactions involving one of the participants (Flores et al.: col. 7, lines 19-22, Flores et al. teach a workflow map, as it appears on a monitor in a size suitable for comfortable viewing, is larger than the screen. For this reason, horizontal and vertical scroll bars also the user to scroll through the entire map. Business Editors: Para 1, Business Editors teach enterprise management reporting software that delivers web-based performance reports with charts and graphs with links from summary information to drill-down details.).
- **[Claim 10]** rendering the graphical depictions include, vertically aligning representations of the business benefits, wherein the business benefits correspond to at least one participant (Flores et al.: col. 7, lines 19-22, Flores et al. teach a workflow map, as it appears on a monitor in a size suitable for comfortable viewing, is larger than the screen. For this reason, horizontal and vertical scroll bars also the user to scroll through the entire map. Business Editors: Para 1 and 6, Business Editors teach enterprise management reporting software that delivers web-based performance reports with charts and graphs with links from summary information to drill-down details. Forecasts reports indicate devices where near-term corrections can prevent service degradation. The examiner interprets the forecast reports to be an indication of benefits.).
- **[Claim 11]** rendering the graphical depictions includes, vertically aligning representations of quantifiable business benefits, wherein the quantifiable



business benefits provide a basis for ROI calculations (Flores et al.: col. 7, lines 19-22, Flores et al. teach a workflow map, as it appears on a monitor in a size suitable for comfortable viewing, is larger than the screen. For this reason, horizontal and vertical scroll bars allow the user to scroll through the entire map. Business Editors: Para 1 and 7, Business Editors teach enterprise management reporting software that delivers web-based performance reports with charts and graphs with links from summary information to drill-down details. Capacity Planning reports details most over-utilized and most under-utilized elements indicating opportunities for load balancing to improve service levels without additional investment.)

- **[Claim 12]** producing a link from the first graphical depiction to the second graphical depiction (Business Editors: Para 1, 3, and 10, Business Editors teach enterprise management reporting software that delivers web-based performance reports with charts and graphs with links from summary information to drill-down details.).
  - **[Claim 13]** rendering the second graphical depiction includes providing additional information regarding interdependency of the participants (Business Editors: Para 1, Business Editors teach enterprise management reporting software that delivers web-based performance reports with charts and graphs with links from summary information to drill-down details).
  - **[Claim 14]** rendering the second graphical depiction includes depicting a sequence of activities (Flores et al.: col. 2, lines 9-31, Flores et al. teach workflow maps that highlight what work is performed in serial and what work is performed in parallel).
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- **[Claim 15]** rendering the second graphical depiction includes depicting information sharing between participants (Flores et al.: col. 5, lines 55-62, and col. 6, lines 62-64, Flores et al. teach a business process is a network of workflows linked together that represent the recurrent process by which an organization performs and completes work, delivers products and services and satisfies customers. Specifically, a workflow is a structured set of acts between customers and performers organized to satisfy the customer's conditions of satisfaction.)
  - **[Claim 16]** rendering the second graphical depiction includes depicting roles in the collaboration (Business Editors: Para 1, 3, and 10, Business Editors teach enterprise management reporting software that delivers web-based performance reports with charts and graphs with links from summary information to drill-down details. Flores et al.: Col. 2, lines 9-30, Flores et al. teaches workflow maps highlights the roles of process participants.)

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- **[Claim 17]** rendering the second graphical depiction includes depicting features in the collaboration (Business Editors: Para 1, 3, and 10, Business Editors teach enterprise management reporting software that delivers web-based performance reports with charts and graphs with links from summary information to drill-down details. Flores et al. Col: 2, lines 9-30, Flores et al. teaches workflow maps highlights the features of business processes.)
- **[Claim 18]** rendering the third graphical depiction includes depicting a system topology used by a participant (Business Editors: Para 3, and 10, Business Editors teach DeskTalk's TREND 3.5 provides network managers with comprehensive web-based management reports. Service Level Management report provides an instant view of latency and availability across the enterprise by element.)
- **[Claim 19]** rendering the third graphical depiction includes depicting distributed and centralized systems (Business Editors: Para 3, and 10, Business Editors teach DeskTalk's TREND 3.5 provides network managers with comprehensive web-based management reports. Service Level Management report provides an instant view of latency and availability across the enterprise by element.)
- **[Claim 20]** the third graphical depiction is derived from the second graphical depiction and contains additional information regarding the collaboration between participants (Business Editors: Para 1, 3, and 10, Business Editors teach enterprise management reporting software that delivers web-based performance reports with charts and graphs with links from summary information to drill-down details. DeskTalk's TREND 3.5 provides network managers with comprehensive web-based management reports. Service Level Management report provides an instant view of latency and availability across the enterprise by element.).
- **[Claim 21]** displaying a first view, using a data processing system, the view including a plurality of interlocking polygons depicting activities of participants in transactions, wherein the polygons corresponding to each participant are vertically aligned and business benefits of the collaborative business scenario are shown in a vertical arrangement (Flores et al.: col. 4, lines 22-52, col. 6, lines 21-24, col. 7, lines 19-22, and col. 8, lines 56-67, and Figure 5, Flores et al. teach the workflow server is the heart of the workflow system. Links are represented graphically as lines with arrowheads that connect two workflows. Conditional links are indicated with a diamond icon. The diamond shape is a polygon. Links define dependency between two workflows and the mechanism by which dependencies between workflows is established. As depicted in figure 5, conditional link 1 relates to workflows (3) in a vertical alignment. A workflow map, as it appears on a monitor in a size suitable for

comfortable viewing, is larger than the screen. For this reason, horizontal and vertical scroll bars allow the user to scroll through the entire map. Business Editors: Para 3, Business editors teach ReportPacks automatically group coherent sets of information into reports directed to particular audiences or tasks.).

- **[Claim 22]** displaying a second view including participants of the collaborative business scenario (Flores et al. col. 1 lines 19-25 and line 64 through to col. 2, line 8, Flores et al. teach business process maps that display the relationships among workflows, and displays the relevant information about each workflow. Workflows are business processes or a sequence of transactions. Every workflow has a customer, a performer, and conditions of satisfaction.);
- activities of the participants illustrated as interlocking polygons (Flores et al. col. 6, lines 21-24, col. 7, lines 19-22, and col. 8, lines 56-67, and Figure 5, Flores et al. teach business process maps that display the relationships among workflows, and displays the relevant information about each workflow. Workflows are business processes or a sequence of transactions. Links are represented graphically as lines with arrowheads that connect two workflows. Conditional links are indicated with a diamond icon. The diamond shape is a polygon. Links define dependency between two workflows and the mechanism by which dependencies between workflows is established.);
- information flow between the participants illustrated as lines linking the interlocking polygons (Flores et al. col. 6, lines 21-24, col. 7, lines 19-22, and col. 8, lines 56-67, and Figure 5, Flores et al. teach business process maps that display the relationships among workflows, and displays the relevant information about each workflow. Workflows are business processes or a sequence of transactions. Links are represented graphically as lines with arrowheads that connect two workflows. Links define dependency between two workflows and the mechanism by which dependencies between workflows is established.); and
- connectors illustrating a direction of document exchange. (Flores et al. col. 1 lines 19-25 and line 64 through to col. 2, line 8, col. 6, lines 21-24, col. 7, lines 19-22, and col. 8, lines 56-67, and Figure 5, Flores et al. teaches business process maps that display the relationships among workflows, and displays the relevant information about each workflow. Workflows are business processes or a sequence of transactions. Links are represented graphically as lines with arrowheads that connect two workflows. Links define dependency between two workflows and the mechanism by which dependencies between workflows is established.);

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- **[Claim 23]** a system topology at a business site of one of the participants (Business Editors: Para 3, and 10, Business Editors teach DeskTalk's TREND 3.5 provides network managers with comprehensive web-based management reports. Service Level Management report provides an instant view of latency and availability across the enterprise by element. Flores et al. col. 6, lines 21-24, col. 7, lines 19-22, and col. 8, lines 56-67, and Figure 5, Flores et al. teach links are represented graphically as lines with arrowheads that connect two workflows. Conditional links are indicated with a diamond icon. The diamond shape is a polygon. Links define dependency between two workflows and the mechanism by which dependencies between workflows is established. As depicted in figure 5, conditional link 1 relates to workflows (3) in a vertical alignment. A workflow map, as it appears on a monitor in a size suitable for comfortable viewing, is larger than the screen. For this reason, horizontal and vertical scroll bars allow the user to scroll through the entire map.);
- **[Claim 24]** accepting, into a data processing system, information identifying a collaborative business, participants in the collaborative business, and activities of the participants (Flores et al.: col. 2, lines 9-31, and col. 4, lines 22-52, Flores et al. teach the workflow server is the heart of the workflow system. Workflow maps highlight the conditions of satisfaction of both internal and external customers.);
- identifying functionality of the activities (Flores et al.: col.2, lines 1-30, Flores et al. teaches business process mapping that displays the relationships among workflows, which workflows are primary and which workflows are secondary to the business process);
- identifying system requirements used to implement the collaborative business (Business Editors: Para 3, 7, and 10, Business Editors teach DeskTalk's TREND 3.5 provides network managers with comprehensive web-based management reports. Service Level Management report provides an instant view of latency and availability across the enterprise by element. Capacity planning report details most over-utilized and most under-utilized elements indicating opportunities for load balancing.);
- identifying quantitative and qualitative business benefits based on a collaboration between participants (Flores et al.: Col. 2, lines 1-30, Flores et al. teach workflow maps highlight cycle times for the process and the conditions of satisfaction of both internal and external customers. The examiner interprets cycle time as a quantitative benefit and conditions of satisfaction as qualitative.);

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- identifying an industry and corresponding solution maps relating to the collaborative business (Flores et al.: Abstract, Flores et al. teach the method and system of creating workflow maps of business processes provides consultants, business process analysts, and application developers with a unified tool with which to conduct business process analysis, design, and documentation. The examiner interprets consultants to be associated with various industries such as service and manufacturing industries.); and
- creating, in a data processing system, a collaboration for sharing a portion of the information accepted (Flores et al.: col. 3, lines 1-23, and col. 4, lines 22-52, Flores et al. teach the workflow server is the heart of the workflow system. The system is used to shorten the cycle time of producing workflow-enabled applications that allow users and managers to participate in and manage business processes.).
- **[Claim 25]** the participants include consumers, enterprises, or electronic marketplaces (Flores et al.: col. 2, lines 9-31, Flores et al. teach workflow maps highlight the conditions of satisfaction of both internal and external customers.).
- **[Claim 58]** providing on a display device coupled to a data processing system, a first view showing the participants, interactions between the participants, and defining the participants for the interactions (Flores et al.: col. 1, line 64 to col. 2, line 30, col. 5, lines 55-62, and col. 7, lines 10-30, Flores et al. teach a business process map is a graphical representation of a business process, which shows its workflows and their relationships. Business process maps display the relevant information about each workflow-the customer, the performer, the conditions of satisfaction and the cycle time. Workflow maps highlight the role of process participants, which workflows are primary and which workflows are secondary to the business process; what work is performed in serial; what work is performed in parallel. A graphical user interface in a computer system is utilized. Typically, a workflow map, as it appears on a monitor in a size suitable for comfortable viewing, is larger than the screen. For this reason, horizontal and vertical scroll bars allow the user to scroll through the entire map.);
- providing on the display device, using the data processing system, a second view showing a sequence of the interactions (Business Editors: Para 1 and 3, Business Editors teach web-based performance reports complete with multiple charts and graphs, hot links from summary information to drill-down details, and information pop-ups describing the report and its usage. ReportPacks automatically group coherent sets of information into reports directed to particular audiences or tasks. Flores et al.: col. 2, lines 1-2, Flores

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et al. teach business process maps display the relationships among workflows.); and

- providing on the display device, using the data processing system, a third view showing an implementation of the first view and the second view in a physical system (Flores et al.: col. 1, line 59 to col. 2, line 30, col. 5, lines 55-62, and col. 7, lines 10-30, Flores et al. teach a business process map is a graphical representation of a business process, which shows its workflows and their relationships. Business process maps display the relevant information about each workflow-the customer, the performer, the conditions of satisfaction and the cycle time. Workflow maps highlight the role of process participants, which workflows are primary and which workflows are secondary to the business process; what work is performed in serial; what work is performed in parallel. A graphical user interface in a computer system is utilized. Typically, a workflow map, as it appears on a monitor in a size suitable for comfortable viewing, is larger than the screen. For this reason, horizontal and vertical scroll bars allow the user to scroll through the entire map.)
- **[Claim 59]** providing a first view comprises providing a first graphical view showing business benefits and value potential in addition to the participants, interactions between the participants, and defining the participants for the interactions (Flores et al.: col. 2, lines 9-12, Flores et al. teach workflow maps highlight the conditions of satisfaction of both internal and external customers. Business Editors: Para 6, Business Editors teach forecasts reports indicating devices where near-term corrections can prevent service degradation. The examiner interprets the forecast reports to be an indication of benefits.).
- **[Claim 60]** providing a second view comprises providing a second graphical view showing roles of the participants and details of the interactions in addition to the sequence of the interactions (Flores et al.: col. 2, lines 1-31, Flores et al. teach business process maps display the relationship among workflows. Workflow maps highlight the roles of process participants.).
- **[Claim 61]** providing a third view comprises providing a third graphical view showing availability of components in the physical system (Business Editors: Para 4 and 10, Business Editors teach DeskTalk's TREND 3.5 provides network managers with comprehensive Web-based management reports, ensuring maximum enterprise network performance with minimal effort. The Service Level Management Report provides an instant view of latency and availability across the enterprise and by element, plotted against contracted service levels.).

**Claims 26-54 and 62-65** substantially recite the same limitations as that of claims 6-20 and 58-61 with the distinction of the recited method being a system, computer readable medium, and another method. Hence the same rejection for claims 6-20 and 58-61 as applied above applies to claims 26-54 and 62-65.

### ***Response to Arguments***

8. Applicant's arguments filed 02 September 2004 have been fully considered but they are not persuasive. Applicant submitted that the it appeared the Examiner did not consider all of the reasons set forth in the Request for Reconsideration and request the Examiner consider and respond to all of the arguments with respect to claims 1-57 enumerated in the Request for Reconsideration. In addition, the applicants do not agree with the Examiner that the "interlocked polygon" language is not worthy of patentable weight.

In response, the Examiner indicated the Request for Reconsideration did not place the application in condition for allowance since the issue of the interlocking polygons was not resolved. Applicants assert the Examiner provided no authority for the non-functional descriptive material finding. The Examiner previously interpreted the claims to describe a computer-displayed picture or graph with drill-down features to display more detailed information. Flores et al. teach a method and apparatus for creating workflow maps of business processes. Flores et al. does not expressly teach the specific data recited in claims 1, 6, 8, 21, 26, 28, 40, 42, and 55 as to the polygon shape of the graph features; however, these differences are only found in the non-

functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the shape used to display interaction between participants. Further, the structural elements remain the same regardless of the specific data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106. As indicated by the examiner in the office action, the claims only describe a computer-displayed picture or graph with drill-down features for more detailed information. A polygon by definition is any plane shape with straight sides, such as a triangle, square, pentagon, hexagon, etc. A polygon, whatever shape it is, does not determine what the interactions are and who the participants are. It is merely a shape used for display purposes. In fact, as written, the interactions would not change if circles were used. Therefore, the shape is considered non-functional descriptive material.

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As to the rest of the arguments, the Applicant asserts that neither Flores et al. nor Business Editors teach or suggest "deriving an interaction view from the business view...the interaction view depicting additional information between the participants," as required by claim 1. The applicant further asserts that Business Editors do not teach or even suggest "assisting collaboration between participants in a business community". In response, Business Editors teach taking advantage of TRENDweb's interactive capabilities where ReportPacks now deliver Web-based performance reports complete



with multiple charts and graphs, hot links from summary information to drill-down details, and information pop-ups describing the report and its usage (Para 1). Flores et al. teach business process maps display the relevant information about each workflow-the customer, the performer, the conditions of satisfaction and the cycle time. Workflow maps highlight the conditions of satisfaction of both internal and external customers (col. 1, line 64 to col. 2, line 12). In summary, the drill-down feature of Business Editors allow the user to get more detailed information, that is, additional information. The phrase "assisting collaboration between participants in a business community" is in the preamble of the claim. The claim fully and intrinsically sets forth all of the limitations of the claimed invention, and the preamble merely states the purpose or intended use of the invention, therefore, is not considered a claim limitation.

The applicant also asserts with regards to claims 6, 21, 26, 40, and 55, that neither Flores et al. nor Business Editors is directed to a "method of displaying a value chain optimization in a collaborative business scenario" that comprises, *inter alia*, "displaying a first view...including business benefits of the collaborative business scenario...shown in a vertical arrangement." In response, Flores et al. teach business process maps display the relevant information about each workflow-the customer, the performer, the conditions of satisfaction and the cycle time. Workflow maps highlight the conditions of satisfaction of both internal and external customers. A workflow map, as it appears on a monitor in a size suitable for comfortable viewing, is larger than the screen. For this reason, horizontal and vertical scroll bars allow the user to scroll through the entire map. (col. 1, line 64 to col. 2, line 12. and col. 7, lines 19-22).

Inherently, information is displayed in a vertical arrangement since the vertical scroll bars allow for viewing of the entire workflow map. The phrase "method of displaying a value chain optimization in a collaborative business scenario" is in the preamble of the claims. The claims fully and intrinsically sets forth all of the limitations of the claimed invention, and the preamble merely states the purpose or intended use of the invention, therefore, is not considered a claim limitation.

The also applicant asserts that neither Flores et al. nor Business Editors teach or suggest, either singly or in combination, at least the combination of features as recited in claim 24. In response, Flores et al. teach workflow maps highlight the conditions of satisfaction of both internal and external customers. The system is used to shorten the cycle time of producing workflow-enabled applications that allow users and managers to participate in and manage business processes (col. 2, lines 9-31, and col. 3, lines 1-23). As indicated, business processes include both internal and external processes to include both internal and external customers, therefore, and as interpreted by the examiner, is collaboration.

Applicant also submits, regarding new independent claims 58 and 62 that neither Flores et al. nor Business Editors teach or suggest the features recited in the claims. Please see the 35 U.S.C. 103(a) rejection above.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Heck whose telephone number is (703) 305-8215. The examiner can normally be reached Monday thru Friday between the hours of 8:00am - 4:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (703) 305-9643. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

**Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**


Or faxed to:

**(703) 872-9306** [Official communications; including After Final  
communications labeled **"Box AF"**]

**(703) 746-9419** [Informal/Draft communication, labeled **"PROPOSED"** or  
**"DRAFT"**]

Hand delivered responses should be brought to 220 South 20<sup>th</sup> Street, Crystal  
Plaza Two, Lobby, Room 1B03, Arlington, Virginia 22202.

mch  
01 December 2004

  
**TARIQ R. HAFIZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600**